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7 DONNIE SCOTT,  
8 Plaintiff,  
9 v.  
10 ERIC GOLDING, et al.,  
11 Defendants.

Case No. 19-cv-06046-HSG

**ORDER DENYING WITHOUT  
PREJUDICE PLAINTIFF'S MOTION  
TO COMPEL**

Re: Dkt. No. 29

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13 Plaintiff, an inmate at California State Prison – Los Angeles County, filed this *pro se* civil  
14 rights action pursuant to 42 U.S.C. § 1983. Now pending before the Court is plaintiff's motion to  
15 compel further response to his discovery requests. Dkt. No. 29. Plaintiff's motion to compel is  
16 DENIED without prejudice to re-filing after he complies with the meet-and-confer requirement set  
17 forth in Fed. R. Civ. P. 37 and N.D. Cal. L. R. 37-1(a). Fed. R. Civ. P. 37(a)(1) requires that a  
18 motion to compel discovery “include a certification that the movant has in good faith conferred or  
19 attempted to confer with the person or party failing to make disclosure or discovery in an effort to  
20 obtain it without court action.” Fed. R. Civ. P. 37(a)(1). Local Rule 37-1(a) provides that the  
21 Court will not entertain a request or a motion to resolve a discovery dispute unless, pursuant to  
22 Fed. R. Civ. P. 37, counsel have previously conferred for the purpose of attempting to resolve all  
23 disputed issues. N.D. Cal. L. R. 37-1(a). Plaintiff's motion to compel lacks the necessary  
24 certification that plaintiff has in good faith conferred with defendants in an effort to obtain the  
25 requested discovery without court action. Accordingly, plaintiff's motion to compel is DENIED  
26 without prejudice to re-filing with the requisite certification if he is unable to resolve the dispute  
27 after good faith meet-and-confer efforts.

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1           This order terminates Dkt. No. 29.

2           **IT IS SO ORDERED.**

3           Dated: 5/19/2020

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5           HAYWOOD S. GILLIAM, JR.  
6           United States District Judge

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United States District Court  
Northern District of California